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PTO/SB/21 (09-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/816,698-Conf. #1150
		Filing Date	April 2, 2004
		First Named Inventor	Mien-Chie Hung
		Art Unit	1645
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission		Attorney Docket Number	AH-UTSC:791US

ENCLOSURES (Check all that apply)		
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Signature			
Printed name	Melissa L. Sistrunk		
Date	August 15, 2005	Reg. No.	45,579



Docket No.: AH-UTSC:791US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Mien-Chie Hung et al.

Application No.: 10/816,698

Confirmation No.: 1150

Filed: April 2, 2004

Art Unit: 1645

For: ANTITUMOR EFFECT OF MUTANT BIK

Examiner: Not Yet Assigned

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an

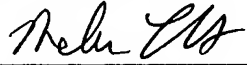
admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. AH-UTSC:791US.

Dated: August 15, 2005

Respectfully submitted,

By 

Melissa L. Sistrunk

Registration No.: 45,579

FULBRIGHT & JAWORSKI L.L.P.

Fulbright Tower

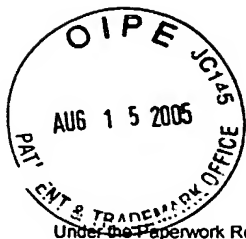
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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/816,698
				Filing Date	April 2, 2004
				First Named Inventor	Mien-Chie Hung
				Art Unit	1645
				Examiner Name	Not Yet Assigned
Sheet	1	of	3	Attorney Docket Number	AH-UTSC:791US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA*	US-6,638,762	10-28-2003	Chang et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	WO-98/33903	08-06-1998	Molloy		
	BB	AU-5742198	08-25-1998	Molloy		
	BC	WO-00/26343	05-11-2000	Eckert et al.		
	BD	EP-1009820	06-21-2000	Molloy		
	BE	JP-2001218587	08-14-2001	Chao		

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See attached Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	Anderson et al., "Breast cancer-specific expression of the <i>Candida albicans</i> cytosine deaminase gene using a transcriptional targeting approach," <i>Cancer Gene Therapy</i> , 7(6): 845-852, 2000.	
	CB	Bauman et al., "Differential Immunohistochemical Staining for DNA Topoisomerase II $\alpha$ and $\beta$ in Human Tissues and for DNA Topoisomerase II $\beta$ in Non-Hodgkin's Lymphomas," <i>Mod. Pathol.</i> , 10(3): 168-175, 1997.	
	CC	Casey et al., "Deletional analysis of the promoter region of the human transferrin receptor gene," <i>Nucleic Acids Research</i> , 16(2): 629-646, 1988.	
	CD	Donello et al., "Woodchuck Hepatitis Virus Contains a Tripartite Posttranscriptional Regulatory Element," <i>J. Virology</i> , 72(6): 5085-5092, 1998.	
	CE	Fuernkranz et al., "Differential tissue localization of oviduct and erythroid transferrin receptors," <i>Proc. Natl. Acad. Sci. USA</i> , 88: 7505-7508, 1991.	
	CF	Guillou et al., "Sertoli Cell-specific Expression of the Human Transferrin Gene: Comparison with the Liver-specific Expression," <i>J. Biol. Chem.</i> , 266(15): 9876-9884, 1991.	
	CG	Hirsch et al., "Mitogenic activation of the transferrin receptor gene promoter i modulated by inhibitors of tyrosine kinases and tyrosine phosphatases," <i>Recept Signal Transduct.</i> , 6(3-4): 121-9, 1996.	
	CH	Hochhauser et al., "Cloning and characterization of the 5' flanking region of the human topoisomerase II alpha gene," <i>J. Biol. Chem.</i> , 267(26): 18961-5, 1992.	
	CI	Idzerda et al., "Expression from the Transferrin Gene Promoter in Transgenic Mice," <i>Mol. Cell. Biol.</i> , 9(11): 5154-5162, 1989.	
	CJ	Isomura et al., "The Human Cytomegalovirus Major Immediate-Early Enhancer Determines the Efficiency of Immediate-Early Gene Transcription and Viral Replication in Permissive Cells at Low Multiplicity of Infection," <i>Journal of Virology</i> , 77(6): 3602-3614, 2003.	
	CK	Iyer et al., "Two-step transcriptional amplification as a method for imaging reporter gene	

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				Filing Date	April 2, 2004
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				Art Unit	1645
				Examiner Name	Not Yet Assigned
Sheet	2	of	3	Attorney Docket Number	AH-UTSC:791US

		expression using weak promoters," <i>PNAS</i> , 98(25): 14595-14600, 2001.	
	CL	Katabi et al., "Hexokinase Type II: A Novel Tumor-Specific Promoter for Gene-Targeted Therapy Differentially Expressed and Regulated in Human Cancer Cells," <i>Human Gene Therapy</i> , 10: 155-164, 1999.	
	CM	Kawabata, "Regulation of expression of murine transferrin receptor 2," <i>Blood</i> , 98(6): 1949-1954, 2001.	
	CN	Kugler et al., "Tissue-specificity of liver gene expression: a common liver-specific promoter element," <i>Nucleic Acids Research</i> , 16(8): 3165-3174, 1988.	
	CO	Lu et al., "Enhanced Gene Expression in Breast Cancer Cells <i>in Vitro</i> and Tumors <i>in Vivo</i> ," <i>Molecular Therapy</i> , 6(6): 783-792, 2002.	
	CP	Maeda et al., "A minimum c-erbB-2 promoter-mediated expression of herpes simplex virus thymidine kinase gene confers selective cytotoxicity of human breast cancer cells to ganciclovir," <i>Cancer Gene Therapy</i> , 8(11): 890-896, 2001.	
	CQ	Mendelzon et al., "The binding site for the liver-specific transcription factor Tf-LF1 and the TATA box of the human transferrin gene promoter are the only elements necessary to direct liver-specific transcription <i>in vitro</i> ," <i>Nucleic Acids Research</i> , 18(19): 5717-5721, 1990.	
	CR	Mo et al., "Overexpression of human DNA topoisomerase II alpha by fusion to enhanced green fluorescent protein," <i>Biotechnol.</i> , 25(6): 1052-7, 1998.	
	CS	Qiao et al., "Tumor-specific transcriptional targeting of suicide gene therapy," <i>Gene Therapy</i> , 9: 168-175, 2002.	
	CT	Radetzki et al., "The apoptosis promoting Bcl-2 homologues Bak and Nbk/Bik overcome drug resistance in Mdr-1-negative and Mdr-1-overexpressing breast cancer cell lines," <i>Oncogene</i> , 21(2): 227-38, 2002.	
	CU	Sandford et al., "Rat Cytomegalovirus Major Immediate-Early Enhancer Switching Results in Altered Growth Characteristics," <i>Journal of Virology</i> , 75(11): 5076-5083, 2001.	
	CV	Sato et al., "Optimization of adenoviral vectors to direct highly amplified prostate-specific expression for imaging and gene therapy," <i>Mol. Ther.</i> , 8(5): 726-37, 2003.	
	CW	Shindelman et al., "Demonstration of the Transferrin Receptor in human breast cancer tissue. Potential marker for identifying dividing cells," <i>Int. J. Cancer</i> , 27:329-334, 1981.	
	CX	Shterman et al., "Comparison of Transferrin Receptors, Iron Content and Isoferritin profile in normal and malignant human breast cell lines," <i>Pathobiol.</i> , 59: 19-25, 1991.	
	CY	Theisen et al., "A C/EBP-Binding Site in the Transferring Promoter Is Essential for Expression in the Liver but Not the Brain of Transgenic Mice," <i>Mol. Cell. Biol.</i> , 13(12): 7666-7676, 1993.	
	CZ	Tong et al., "The Pro-apoptotic Protein, Bik, Exhibits Potent Antitumor Activity That Is Dependent on Its BH3 Domain," <i>Molecular Cancer Therapeutics</i> , 1: 95-102, 2001.	
	CA1	Verma et al., "Structural analysis of the human pro-apoptotic gene <i>Bik</i> : Chromosomal localization, genomic organization and localization of promoter sequences," <i>Gene</i> , 254(1-2): 157-162, 2000.	
	CB1	Xie et al., "Adenovirus-mediated tissue-targeted expression of a caspase-9-based artificial death switch for the treatment of prostate cancer," <i>Cancer Res.</i> , 61(18): 6795-804, 2001.	
	CC1	Zakin, "Regulation of transferrin gene expression," <i>The FASEB Journal</i> , 6: 3253-3258, 1992.	
	CD1	Zhang et al., "A Gene-Specific Promoter in Transgenic Mice Directs Testis-Specific Demethylation Prior to Transcriptional Activation <i>In Vivo</i> ," <i>Biology of Reproduction</i> , 59: 284-292, 1998.	
	CE1	Zhang et al., "A small composite probasin promoter confers high levels of prostate-specific gene expression through regulation by androgens and glucocorticoids <i>in vitro</i> and <i>in vivo</i> ," <i>Endocrinology</i> , 141(12): 4698-710, 2000.	
	CF1	Zhang et al., "Molecular engineering of a two-step transcription amplification (TSTA) system for transgene delivery in prostate cancer," <i>Mol. Ther.</i> , 5(3): 223-32, 2002.	

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Application No. (if known): 10/816,698

Attorney Docket No.: AH-UTSC:791US

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